

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

CLERK US DISTRICT COURT
NORTHERN DIST. OF TX
FILED
2014 JUL 21 PM 2:46
DEPUTY CLERK *R*

MICHAEL JOSEPH DEMARCO, JR.,

Petitioner,

v.

WILLIAM STEPHENS,
Director, Texas Dep't of Criminal Justice,
Correctional Institutions Division,

Respondent.

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2:14-CV-084

**ORDER OVERRULING OBJECTIONS,
ADOPTING REPORT AND RECOMMENDATION,
GRANTING RESPONDENT'S MOTION TO DISMISS
and DISMISSING PETITION FOR A WRIT OF HABEAS CORPUS**

Petitioner has filed with this Court a petition for a federal writ of habeas corpus. On July 3, 2014, the United States Magistrate Judge issued a Report and Recommendation in this cause, recommending therein that the motion to dismiss filed by respondent be granted, and the instant habeas application be dismissed as time-barred. On July 17, 2014, petitioner filed objections to the Magistrate Judge's Report and Recommendation.

The undersigned United States District Judge has made an independent examination of the record in this case and has considered the objections made by petitioner to the Report and Recommendation. The objections filed by petitioner are hereby OVERRULED and the Magistrate Judge's Report and Recommendation is ADOPTED. Accordingly, the petition for a writ of habeas corpus is DISMISSED.

IT IS SO ORDERED.

ENTERED this 21st day of July 2014.

Mary Lou Robinson
MARY LOU ROBINSON
UNITED STATES DISTRICT JUDGE